

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT BIG STONE GAP, VA
FILED
APR 10 2007

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

JOSEPH C. SEGEN, M.D.,

Plaintiff,

v.

BUCHANAN GENERAL
HOSPITAL, INC., et al.,

Defendants.

Civil Action No. 1:06cv00009

FINAL ORDER AND JUDGMENT

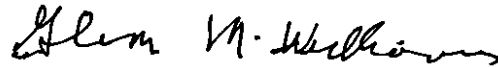
By: GLEN M. WILLIAMS
Senior United States District Judge

This case is before the court on the defendants' motions to dismiss, (Docket Item Nos. 2, 23 and 35), ("Motions to Dismiss"), and motions for sanctions, (Docket Items Nos. 37, 38), ("Motions for Sanctions"). This case was referred pursuant to 28 U.S.C. § 636(b)(1)(B) to the Honorable Pamela Meade Sargent. The Magistrate Judge filed a report recommending that the defendants' Motions to Dismiss and Motions for Sanctions be granted. (Docket Item No. 58), ("Report"). Upon a review of the objections to the Magistrate Judge's report, and the briefs filed by each party, the court hereby affirms the Report as to the Motions to Dismiss and hereby rejects the Report as to the Motions for Sanctions.

For the reasons detailed in the Memorandum Opinion accompanying this Order and entered this day, the defendants' Motions to Dismiss are hereby **GRANTED WITHOUT PREJUDICE**, and pursuant to Federal Rule 72(b), the defendants' Motions for Sanctions are hereby **DENIED**.

The Clerk is directed to enter this Order and to send copies of this Order and accompanying Memorandum Opinion to all counsel of record. The Clerk is further directed to strike this case from the docket of this court.

ENTER: This 10th day of April, 2007.

A handwritten signature in black ink, appearing to read "Glen M. Williams", is written above a horizontal line.

THE HONORABLE GLEN M. WILLIAMS
SENIOR UNITED STATES DISTRICT JUDGE